

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

AMER K. KHALIL)	CASE NO. 1:17-CV-1572
)	
Plaintiff)	JUDGE _____
)	
vs.)	
)	PETITION FOR REMOVAL
ALLSTATE VEHICLE AND PROPERTY)	
INSURANCE COMPANY)	
)	
Defendants)	

To: The Honorable Judges of the United States District Court,
Northern District of Ohio, Eastern Division

Pursuant to 28 USC §§1332, 1441, and 1446, Allstate Vehicle and Property Insurance Company (“Allstate”) petitions this Court for an order removing this action from the Cuyahoga County Court of Common Pleas to the United States District Court for the Northern District of Ohio, Eastern Division. For cause, Encompass states:

1. The petitioner is the defendant in the instant action.
2. The plaintiff commenced this action by filing a summons and complaint in the Court of Common Pleas of Cuyahoga County, Ohio on June 27, 2017. A copy of the plaintiff’s complaint and summons is attached as Exhibit A.
3. The defendant was successfully served on or about June 30, 2017.
4. Allstate is organized under the Laws of the State of Illinois. Its principal place of business is located in Northbrook (Cook County), Illinois. Plaintiff Amer K. Khalil resides in the State of California, although also claims residence in the State of Ohio.
5. This Court has original jurisdiction over the civil action pursuant to 28 USC §1332, as the amount in controversy reasonably exceeds the value of \$75,000.00, exclusive of interest and costs. The defendant believes that the plaintiff is claiming in excess of \$75,000.00 in damages.

6. The action is based upon a residential water loss arising under a homeowner policy. It is not a claim under a liability policy. This action is between citizens of different states.

WHEREFORE, defendant Allstate respectfully prays that this action be removed from the Cuyahoga County Court of Common Pleas to the United States District Court for the Northern District of Ohio, Eastern Division.

Respectfully submitted,

/s/ David C. Comstock, Jr.
BONEZZI SWITZER POLITO & HUPP CO. L.P.A.
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ATTORNEYS FOR DEFENDANT

C E R T I F I C A T I O N

I hereby certify that on the 27th day of July, 2017, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties per operation of the court's electronic filing system. Parties may access this filing through the court's system. A copy of this petition for removal was forwarded to counsel for the plaintiff, Kenneth J. Fisher, Kenneth J. Fisher Co., L.P.A., 2100 Terminal Tower, 50 Public Square, Cleveland, Ohio 44113, via regular U.S. Mail.

/s/ David C. Comstock, Jr.
BONEZZI SWITZER POLITO & HUPP CO. L.P.A.
DAVID C. COMSTOCK, JR. (#0040145)
ATTORNEYS FOR DEFENDANT